

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

vs.

Case No. 8:03-CR-77-T-30TBM

GHASSAN ZAYED BALLUT

**DEFENDANT GHASSAN BALLUT'S MOTION TO ADOPT CO-DEFENDANTS'
MOTIONS TO DISMISS OR STRIKE AGAINST SUPERSEDING INDICTMENT**

The Defendant, GHASSAN ZAYED BALLUT, by and through his undersigned counsel, hereby requests this Honorable Court to permit the Defendant to adopt the several motions to dismiss or strike portions of the Superseding Indictment and supporting memoranda of law by the Co-Defendants as enumerated below and the grounds set forth in each of these several motions and memoranda and all evidence adduced in support of each motion, the same as if each motion and memorandum were set out, filed, and produced by the Defendant, GHASSAN ZAYED BALLUT, to the extent that each motion pertains to counts and allegations against the Defendant, but only to the extent that each motion and its respective memorandum of law or the evidence in support are beneficial and not adverse to the Defendant's interests.

The motions and memoranda the Defendant requests permission to adopt are:

1. Sami Al-Arian's Combined Motion to Dismiss Counts 1, 2, 3, and 44 and Memorandum Re: Pre-Indictment Delay and Destruction of Evidence and Sami Al-Arian's Memorandum in Support of Motion to Dismiss Counts 1, 2, 3, and 44 and Memorandum Re: Pre-Indictment Delay and Destruction of Evidence (Doc. 697 and Doc. 719).
2. Sami Al-Arian's Motion to Dismiss Count 1 of the Indictment and Sami Al-Arian's

Memorandum in Support of Motion to Dismiss Count One (RICO) (Doc. 698 and Doc. 721).

3. Sami Al-Arian's Motion to Strike Language from Count Three (Doc. 699).
4. Sami Al-Arian's Motion and Memorandum to Dismiss Counts 1 through 4 of the Superseding Indictment for Violation of 18 U.S.C. Section 1385 (The Posse Comitatus Act) and Sami Al-Arian's Memorandum in Support of Motion to Dismiss for Violation of the Posse Comitatus Act (Doc. 700 and Doc. 722).
5. Hatem Fariz's Motion to Dismiss Based on the Selective Nature of the Prosecution and/or for Discovery on the Selective Prosecution Claim (Doc. 706).
6. Hatem Fariz's Motion to Quash Section (b) of Paragraph 26 and Extortion Allegations in Counts 12-16 and 18-21 and Memorandum of Law in Support (Doc. 709).
7. Hatem Fariz's Amended Motion to Dismiss Counts 3, 4, 12-16, and 18-43 and to Quash Paragraph 26(f) of Count One of the Superseding Indictment and Memorandum of Law in Support (Doc. 707).

This motion is intended to provide the Defendant with the benefit of these motions and memoranda without undue repetition in the interest of judicial economy.

WHEREFORE, the Defendant requests the Court to permit the Defendant to adopt each of the above-enumerated motions and memoranda.

Respectfully submitted,

S/ Bruce G. Howie

Bruce G. Howie

Florida Bar No. 263230

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Certificate of Service

I HEREBY CERTIFY that on November 10, 2004, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

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